



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,442	02/04/2002	Todd M. Lynton	**BA-0333	7358
23377	7590	03/06/2009	EXAMINER	
WOODCOCK WASHBURN LLP CIRA CENTRE, 12TH FLOOR 2929 ARCH STREET PHILADELPHIA, PA 19104-2891			FISHER, MICHAEL J	
ART UNIT	PAPER NUMBER			
		3689		
MAIL DATE	DELIVERY MODE			
03/06/2009	PAPER			

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

---

*Ex parte* TODD M. LYNTON

---

Application No. 10/067,442  
Technology Center 3600

---

Mailed: March 6, 2009

---

Before PAMELA S. BENNETT, *Review Team Paralegal.*  
BENNETT, *Review Team Paralegal.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on February 3, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matters requiring attention prior to docketing.

**EXAMINER'S CONSIDERATION OF REPLY BRIEF**

A Reply Brief was filed in this application on December 10, 2008. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and § 1208, part II, of the *Manual of Patent Examining Procedure* (MPEP) (Eighth Edition, Rev. 6, September 2007).

**INFORMATION DISCLOSURE STATEMENT**

Appellant filed an Information Disclosure Statement (IDS) dated December 6, 2004. While it is apparent that the examiner considered the foreign Patent Document and one of the "Other Documents," there is no indication on the record that the Examiner has considered the document entitled "National Bike Registry Teams Up With Kryptonite to Reduce Bike Theft." Correction is required.

**CONCLUSION**

Accordingly, it is **ORDERED** that the application is returned to the Examiner:

- 1) to consider the Reply Brief filed December 10, 2008 as indicated above;
- 2) to consider the article entitled "National Bike Registry Teams Up With Kryptonite to Reduce Bike Theft" appearing on the IDS filed December 6, 2004; and
- 3) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

PSB

Woodcock Washburn LLP  
CIRA Centre, 12<sup>th</sup> Floor  
2929 Arch Street  
Philadelphia, PA 19104-2891